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United States  
Department of  
Agriculture

Food Safety  
and Inspection  
Service

Inspection  
Operations

November 1, 1994

# Meat and Poultry Inspection Regulations

## Change 94-11

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UNITED STATES DEPARTMENT OF AGRICULTURE  
FOOD SAFETY AND INSPECTION SERVICE  
WASHINGTON, DC

## CHANGE TRANSMITTAL SHEET

☐ DIRECTIVE  
☐ REVISION  
☐ AMENDMENT  
☒ OTHER

CHANGE 94-11  
MEAT AND POULTRY INSPECTION REGULATIONS

94-11

11/1/94

### I. PURPOSE

This document transmits changes to Part 391 of the MPI Regulations. These changes were published in the Federal Register on October 26, 1994, (59 FR 53726, Docket No. 94-013F), titled Fee Increase for Inspection Services.

### II. CHANGES

Remove

Insert

#### SUBCHAPTER D - ADMINISTRATIVE PROCEDURES


Pages 3 and 4

Pages 3 and 4

EFFECTIVE DATE: 10/30/94

### III. CANCELLATION

This change transmittal is cancelled when contents have been incorporated into the MPI Regulations.

  
Paula M. Cohen, Director  
Regulations Development  
Policy, Evaluation and Planning Staff

Attachment

This covers changes effective as of October 30, 1994.

DISTRIBUTION: M91, M93, M94, M95,  
CM3, S03, ABB, TRA, PRD,  
IO

OPI: AM/B&FD



§ 390.6 Fee schedule.

Departmental regulations provide for a schedule of reasonable standard charges for document search and duplication. See 7 CFR 1.16. Fees to be charged are set forth in 7 CFR Part 1, Subpart A, Appendix A.

§ 390.7 Appeals.

(a) If the request for information, or for a waiver of search and/or duplication fees is denied, in whole or in part, the Freedom of Information Act Coordinator or designee will set forth in the letter of response the grounds for any denial of access and offer the requesting party an opportunity to file an administrative appeal from the denial pursuant to 7 CFR 1.3(a)(4). The appeals should be filed in writing within 45 days of the date of denial (departmental regulations, 7 CFR 1.8(a)(4)) and should be addressed as follows:

Administrator  
Food Safety and Inspection Service, (FOIA Appeal),  
U.S. Department of Agriculture  
Washington, DC 20250.

(b) The Administrator of FSIS is authorized under 7 CFR 1.3(a)(4) to (1) to extend the 20-day deadline, (2) make discretionary releases, and (3) make determinations regarding the charging of fees.

§ 390.8 Agency responses to requests.

(a) The response to Freedom of Inspection requests and appeals by the officials named in § 390.5 and § 390.7 of this part shall be governed by and made in accordance with 7 CFR 1.8 of the regulations in this part.

(b) Requests for records and information may be submitted to field stations. The field station shall immediately notify the FOIA Coordinator or designee by telephone. Unless the FOIA coordinator or designee orally authorizes a release of the requested records, the field station receiving the request shall transmit the request directly to the FOIA Coordinator for a response. For purposes of compliance with the statutory time limit, the request will be considered as having been received on the date of its arrival in the office of the Coordinator or designee.

(c) Any person whose request for records has been granted may inspect and copy such records (or copies) at the office listed in § 390.4 of this part in accordance with the provisions of that section as well as § 390.6, relating respectively to time and fees. Copies may also be obtained by mail.



PART 391-FEES AND CHARGES FOR INSPECTION  
SERVICES AND LABORATORY ACCREDITATION

AUTHORITY: 7 U.S.C. 138f; 7 U.S.C. 394, 1622, 1624; 21 U.S.C. 451 et seq; 21 U.S.C. 601-695; 7 CFR 2.17(g) and (i), 2.55.

§ 391.1 Scope and purpose.

Fees shall be charged by the Agency for certain specified inspection services provided on a holiday, on an overtime basis, and/or which are voluntary inspection services.

§ 391.2 Base time rate.

\* The base time rate for inspection services provided pursuant to §§ 350.7, 351.8, 351.9, 352.5, 354.101, 355.12, and 362.5 shall be \$31.12 per hour, per program employee. \*

§ 391.3 Overtime and holiday rate.

\* The overtime and holiday rate for inspection services provided pursuant to §§ 307.5, 350.7, 351.8, 351.9, 352.5, 354.101, 355.12, 362.5, and 381.38 shall be \$31.80 per hour, per program employee. \*

§ 391.4 Laboratory services rate.

\* The rate for laboratory services provided pursuant to §§ 350.7, 351.9, 352.5, 354.101, 355.12, and 362.5 shall be \$52.04 per hour, per program employee. \*

§ 391.5 Laboratory Accreditation Fees

(a) The annual fee for the initial accreditation and maintenance of accreditation provided pursuant to §§ 318.21 and 381.153 shall be \$3,500 per accreditation.

(b) Laboratories that request special onsite inspections shall pay FSIS the actual cost of reasonable travel and other expenses necessary to perform the unscheduled or non-routine onsite inspections.

PARTS 392-399 [RESERVED]





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**Food Safety and Inspection Service**  
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